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June 22, 2012

By ECF and TELEFAX

Honorable Carol B. Amon
Chief U.S. District Judge
U. S. District Courthouse
Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

**Re: United States v. Joseph Mazella
Assigned Docket No. 11 CR 300 (CBA)**

Dear Chief Judge Amon:

I respectfully submit the attached proposed order authorizing CJA compensation for Tim Griffith, the real estate appraiser appointed by the Court on December 8, 2011 to assist the defense in trial preparation and to provide trial expert testimony in the Mazella case. Tim performed valuable work, in assisting my trial preparation. He worked diligently and was a tremendous help to our defense case, despite the final result.

Tim billed for a total of 174 hours for pretrial services at \$75/hour as approved by Your Honor in the Dec. 8, 2011 authorization order, for a total of \$13,050. His initial authorization was for 50 hours, (A copy of the original order is enclosed for convenience). I had instructed him to perform additional appraisal work, including an expert's summary and full appraisals as to properties that were central to the trial issues. I also asked Tim to be present for trial testimony and narrowed the time period in which he needed to be physically present in order to keep the trial flowing smoothly. It is my fault for not asking for additional authorized hours for Tim. It certainly is not his fault that I failed to get additional CJA payment authorization for his necessary services. But in my defense, I was burning the midnight oil on several fronts as the trial date drew near.

It should be noted that there was an under budget \$7,600 for pretrial expert services (in Leah Savitt's billings for only half of her authorized hours). That would cover an additional 101 hours of Tim's pretrial hours, for a total covered of 151 of his 174 hours – leaving a smaller over budget 23 hours @ \$75 or just \$1,725 over budget for Tim's compensation, if measured by the budget's pretrial expert services category.

Honorable Carol Amon

June 22, 2012

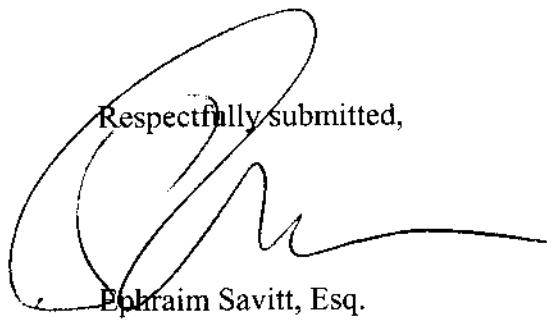
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In his final voucher, Tim asked for trial services compensation at the authorized rate of \$125/hour, plus parking expenses in the amount of \$2,574.75. I should note that other appraisers asked for between \$250 to \$300/hour for their services, and they weren't even licensed in both NYS and NJ (where the subject properties are located), as Tim is.

I therefore respectfully ask Your Honor to approve Tim's well-deserved compensation authorization. Nearly a half year after Tim completed his services admirably, he is still waiting for his pay check. To the extent that I did not seek prior authorization, I plead guilty with an explanation. But Tim should not be collaterally damaged as a result.

I thank Your Honor for your courtesy and consideration.

Respectfully submitted,


Ephraim Savitt, Esq.

Cc: Jerry Tritz

Tim Griffith

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA,

ORDER

-against-

11-CR-300(CBA)

JOSEPH MAZELLA,

Defendants

-----X

Upon the application of Ephraim Savitt, attorney for defendant Joseph Mazella, and for the reasons stated by counsel in an electronic mail communication to Jerry Tritz, Esq., the CJA budgeting attorney for the Second Circuit, which is attached to this Order,

IT IS HEREBY ORDERED that Timothy A. Griffith, M.S., who was appointed by the Court on December 8, 2011 pursuant to CJA to be the real estate appraisal expert and consultant to defense counsel at the trial of this case, shall be compensated at the previously approved hourly rate of \$75 for out-of-court services, for a total of 174 hours in the amount of \$13,050.00, and at the previously approved hourly rate of \$125 for in-court services, for a total of 20 hours plus expenses, in the amount of \$2,574.75, for aggregate CJA compensation and reimbursement of \$15,624.75.

DATED: Brooklyn, New York
June , 2012

HONORABLE CAROL B. AMON
CHIEF UNITED STATES DISTRICT JUDGE

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

-against-

JOSEPH MAZELLA,

ORDER

BROOKLYN OFFICE

Defendant.

Pursuant to the approved mega-case budget under the Criminal Justice Act ("CJA") in this matter, dated August 19, 2011, and in view of the amount of necessary pretrial preparation and expected length of the trial in this case,

IT IS HEREBY ORDERED, that Ephraim Savitt, appointed by the Court as the CJA attorney for the defendant JOSEPH MAZELLA, is authorized to submit interim CJA form 20 vouchers for compensation and reimbursement of necessary expenses, without any withholding in approved interim CJA compensation, until further ORDER of the Court.

IT IS FURTHER ORDERED that, given the mega-case budget approved by the Court, attorney EPHRAIM SAVITT is authorized to claim payment of the 20% amounts of interim CJA compensation that have been previously withheld.

DATED: Brooklyn, New York
September 27, 2011

s/CBA

HONORABLE CAROL BAGLEY AMON
CHIEF UNITED STATES DISTRICT JUDGE